

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:02CR349
)	
v.)	
)	
THEODORE RELFORD, III,)	ORDER
)	
Defendant.)	
_____)	

This matter is before the Court on defendant's second motion to reduce sentence (Filing No. 94) and the stipulation of the parties (Filing No. 91). Pursuant to the retroactive amendment to the cocaine base guidelines, the defendant's final offense level is reduced from 33 to 31. His criminal history category remains at V. The government and defense agree that his sentence should be reduced to sixty-four (64) months imprisonment, considering the prior computation of specific offense characteristics, adjustments, and departures. Considering the time served and credit for good time,

IT IS ORDERED:

1) The Court's previous order of March 31, 2008 (Filing No. 93) is vacated to the extent that the stipulation of the parties is reinstated.

2) The second motion to reduce is granted and the stipulation of the parties is approved and adopted; the sentence of the defendant is reduced to sixty-four (64) months.

3) The conditions of supervised release entered in the original judgment and committal order remain in full force and effect.

DATED this 9th day of April, 2008.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court